

## June 11, 2015, City Arts Commission Comments

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### ***Item III. PUBLIC COMMENTS***

I do not expect to be able to attend the Commission's meeting and cannot predict attendance, but I expect it will be very light, as it usually is. I believe this is in part because the Commission does a notably poor job of engaging the public in general in its actions and deliberations, including confining public participation to making comments in this segment *before* staff reports have been heard and *before* the public has even an inkling of what the Commission may have to say regarding them. It is much like permitting the public to observe from a distance the private monthly general get-togethers of a private club, and as such it is not surprising that the few who do attend rarely return.

Confining public comment to such a constrained and absurd format is frustrating to the public, ineffective for the Commissioners and most likely a violation of the Brown Act.

### ***Item IV: Approval of Minutes – DRAFT Minutes - May 14, 2015***

The following obvious change to the draft minutes passage shown in *italics* is suggested in ~~strikeout~~ underline format.

Page 6, last paragraph: "... the Gene and Diane ~~Crane Crain~~ Crane Crain (~~CHECK SPELLING~~)"

### ***Item V.B.1. Ben Carlson Foundation Memorial Sculpture Donation***

Due to the very peculiar format of the Arts Commission meetings, noted under Item III above, it has been extremely frustrating trying to provide any effective input to the Commission on this item prior to its actions at previous meetings.

I have no objection to the location, but as a piece of City-sanctioned public art I would have hoped for something more creatively evocative of the sad personal tragedy that occurred in Newport Beach as well as a reminder of the danger the ocean poses both to beachgoers and to those who try to protect them. I find the "Lone Sailor" memorial on the palisade in Long Beach moving. I might find something abstract moving. I do not find this proposal moving.

Instead, I think the casual passerby will see a magazine swimwear ad brought to life with the implication they are being safely watched over by strong and able bodies. Only those reading the plaque would realize the intended message was something completely different. I don't think art that is incapable for conveying its message without explanation is good art.

### ***Item V.B.2. Sculpture Exhibition in Civic Center Park***

From the staff report I see that staff and the Commission are sadly following the same pattern they followed in developing Phase 1 of the Sculpture Exhibition – a pattern which many members of the public felt left out from and have been highly critical of.

1. It is good to see that a majority of the recommended selections for Phase 2 are by California artists. Apparently someone listened to that criticism of Phase 1.
2. I cannot detect no rhyme or reason as to why different "honoraria" were attached to different pieces.
3. It is strange the staff report refers to three alternates when the attachment shows four. Is the recommendation to have 11 sculptures (including "Demoiselle") and three alternates?
4. It is strange one of the photos of "Three Saplings" shows five saplings.
5. I think allowing an outside contractor to name three Arts Commissioners to a private panel making and backing their recommendation is highly improper. It may also be a violation of the Brown Act if it was the Commission that made the appointments. The practical effect is that only a single additional Commission vote is necessary for the full Commission to ratify the private recommendation and hence no meaningful discussion or adjustment of the recommendation can be expected to occur at the Commission level, and public input can be expected to have little or no impact.
6. I would suggest *all* the Commissioners treat this item as if they had *not* been part of the secret panel. The first question in that case, and the question I would like to ask, would be a request to see the 67 pieces that were *not* recommended for installation, and why.

### ***Item V.C. MONTHLY REPORTS***

This segment is especially frustrating for the public since the public has no idea what information will be provided in the reports and has no opportunity to comment or provide input on it.

Many of the committees with "ad hoc" in their name have existed continuously for years, belying the notion they have some well-defined short-term role to fulfill. Many appear to guide staff in its activities and decisions, belying the notion they are purely advisory to the Commission as a whole. In addition, the proliferation of committees meeting non-publicly, and the overlap of membership between them, makes it nearly inevitable that there will be exchanges of information between them resulting in non-public serial communications among a quorum of the Commission as a whole. Such activities, well-intentioned as they may be, violate the core principle of the Brown Act (that the public's business be conducted in public) in multiple ways.

The Monthly Reports also often seem to devolve into extended discussion among the Commissioners on topics which the public not only could not deduce from the agenda, but on which it again has no opportunity to comment. Such unnoticed discussions among a majority of the Commission, even when conducted in public, also violate the Brown Act.

This situation could be alleviated, in part (and only in part), by adding to the Commission's website a list of the currently existing committees, with contact information, and the specific recommendation which, when submitted, will end their work. Members of the public wishing to provide input on that recommendation could then at least communicate with the committee, or comment on its lack of responsiveness to the Commission as a whole.

The new Cultural Arts Collaboration Subcommittee seems particularly problematic with its recommendation for creation of a kind of shadow Arts Commission called the "Advisory Committee" – apparently appointed for some kind of terms and some kind of purpose by the Cultural Arts Collaboration Subcommittee or its Chair. Details of the new structure are unclear from the draft minutes of the last Commission meeting, but since the Advisory Committee is a creation of the Commission, and clearly includes persons not on the Commission, the Brown Act is clear that any discussions in which a majority of the Advisory Committee take place – either in one place or serially – will have to take place at noticed public meetings.